



UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/197,441	11/23/98	BEHAGEN	M 1521/1

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EXAMINER

FLYNN, N

ART UNIT	PAPER NUMBER
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2711

DATE MAILED:

07/25/00

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/197,441

Applicant(s)
Behagen et al.

Examiner
Nathan J. Flynn

Group Art Unit
2711



☒ Responsive to communication(s) filed on Nov 23, 1998

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-17 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-17 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

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1. The disclosure is objected to because of the following informalities: The first seven pages of the specification appear to have error cause by copying. Addition text and page number appear at the bottom of these pages.

Appropriate correction is required.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

3. Claims 1, 2, 5, 8, 9, 10, 12 and 14-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Yiu (6,008,777).

AS to claims 1, Yiu clearly discloses all of the claimed subject matter. The “main computer” is met by the local PC interface unit 401 and the attached PC. The “remote display device” and the “remote input platform” are met by TV interface unit 403 and related elements. In this system, the CPU is contained in the main PC.

Regarding claims 2 and 5, the system of Yug. uses radio wave receivers and transmitters.

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As to claim 8, Yug. teaches that HDTV signals may be transmit between the main PC and the television interface device. A "video expander" and "display" are inherent portions of typical HDTVs.

Regarding claim 9, the screen used in the system of Yiu clearly is of the type now claimed.

As to claim 10, Yug. teaches that his system produces an audio signal in the manner now claimed.

Regarding claims 11 and 12, Yiu clearly discloses the use of a joy stick as a remote pointing device.

As to claim 14, Yiu teaches that s computer that generates both television and computer video outputs may be used with his system (col 4, lines 37-45). Computers of this type contain plural video cards and an operating system to handle them. The reset of the limitations of this claim have been addressed above.

As to claims 15-17, the local PC interface unit performs all of the functions now claimed and metes all of the limitations.

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

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having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 3, 4 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yug. and Yen (5,880,721).

AS to these claims Yiu does not specify the frequency band his system is to use. In a strikingly similar system Yen teaches that remote computer displays should use a band around 2.4 GHz. It would have been obvious to use the band with the system of You so as to conform to known practices and FCC regulations. In addition this band is considered to be and ISM band SP².

Claims 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yug. and Hare et al. (6,084,638).

Yug. et al does not specify the use of a microphone with his system. In a strikingly similar system Hare et al. teaches the use of a microphone. It would have been obvious to one of ordinary skill in the art to add a microphone to the system of Yiu et al. so that the user may take advantage of IP telephony services.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

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Washington, D.C. 20231

or faxed to:

(703) 305-9051, (for formal communications intended for entry)

Or:

(703) 308-5359, (for informal or draft communications, please label
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2021 Crystal
Drive, Arlington. VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner
should be directed to Nathan J. Flynn whose telephone number is (703) 308-6601. The examiner
can normally be reached on Monday-Thursday from 7:00 a.m.. to 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor,
Andrew Faile, can be reached on (703) 305-4380.

Any inquiry of a general nature or relating to the status of this application or proceeding
should be directed to the receptionist whose telephone number is (703) 305-9000.

Nathan J. Flynn
Primary Examiner
Art Unit 2711
July 20, 2000



Nathan Flynn
Primary Examiner